

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IHS Liquidating LLC)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-376 (GMS)
)	
Ace Indemnity Insurance Company)	
)	
Defendants.)	
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Indemnity Insurance Company of North)	
America,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-1262 (GMS)
)	
Integrated Health Services, Inc., and ABE)	
Briarwood Corp.,)	
)	
Defendants.)	
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[CONSOLIDATED FOR DISCOVERY]

AMENDED SCHEDULING ORDER

This 28th day of March 2007, the Court having conducted a Discovery Teleconference on February 21, 2007, and the parties having determined after discussion that the matter cannot be resolved at this juncture by settlement, voluntary mediation or binding arbitration;

IT IS ORDERED that the Scheduling Order dated September 11, 2006 is amended as follows:

1. **Discovery**. All discovery in this case shall be initiated so that it will be completed on or before **April 23, 2007**.

a. **Discovery and Scheduling Matters:** Should counsel find they are unable to resolve a discovery or scheduling matter, the party seeking the relief shall contact chambers at (302) 573-6470 to schedule a telephone conference. Not less than forty-eight hours prior to the teleconference, the parties shall file with the court, via electronic means (CM/ECF), a **joint, non-argumentative** letter agenda not to exceed two (2) pages outlining the issue(s) in dispute. A sample letter can be located on this court's website at www.ded.uscourts.gov. After the parties have had three (3) discovery teleconferences, they will be required to file a joint letter showing good cause why the court should permit a fourth discovery teleconference. Should the court find further briefing necessary upon conclusion of the telephone conference, unless otherwise directed, the party seeking relief shall file with the court a **TWO PAGE LETTER**, exclusive of exhibits, describing the issues in contention. The responding party shall file within five (5) days from the date of service of the opening letter an answering letter of no more than **TWO PAGES**. The party seeking relief may then file a reply letter of no more than **TWO PAGES** within three (3) days from the date of service of the answering letter.

2. **Settlement Conference.** Pursuant to 28 U.S.C. §636, this matter was previously referred to the United States Magistrate for the purpose of exploring the possibility of a settlement and a Mediation Conference has been scheduled with the Honorable Mary Pat Thyng. However, the court recommends that the parties agree on an alternative outside mediator in the interim.

3. **Case Dispositive Motions.** All case dispositive motions and an opening brief and affidavits, if any, in support of the motion shall be served and filed on or before **May 23, 2007**. Briefing will be presented pursuant to the court's Local Rules, unless the parties agree to an alternative briefing schedule. Any such agreement shall be in writing and filed with the Court for

the Court's approval. Any request for extensions of time as set forth in this Scheduling Order **must** be accompanied by an explanation or your request will be denied.

4. **Scheduling:** The parties shall contact chambers, at (302) 573-6470, only in situations where scheduling relief is sought, and only then when ALL participating counsel is on the line for purposes of selecting a new date.

/s/ Gregory M. Sleet
UNITED STATES DISTRICT JUDGE